IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 238 OF 2005

M/s. Rapid Carriers Pvt.Ltd..... .. Petitioner.

Versus

The State of Maharashtra & anr. .. Respondents.

Mr. Swapnil Pednekar for the Petitioner.

Mr. N. P. Deshpande, AGP for the Respondents.

CORAM : DALVEER BHANDARI, C. J. &

S. A. BOBDE, J.

DATED : JANUARY 31, 2005.

P.C. :

The petitioner's vehicle No. MH-04-C-5495 was seized by respondent No.2 on 28th December 2004, because the vehicle was being plied in Mumbai in contravention of the order dated 3rd March, 2004 passed by a Division Bench of this Court. It is the case of the petitioner that its vehicle is registered at District Thane and the petitioner was not aware of the order passed by this Court and this lapse has happened because of

inadvertence.

2. We have heard the learned Counsel for the parties at length. The learned Counsel for the petitioner submits that the aforesaid vehicle shall not be plied in Mumbai again. The learned Assistant Government Pleader appearing for the respondents, suggested that for this lapse, petitioner be directed to pay Rs.10,000/- to the Regional Transport Officer, respondent No.2. The learned Counsel for the petitioner, on instructions, has undertaken to pay Rs.10,000/- to respondent No.2. We direct that on payment of the said amount, the aforesaid vehicle be released to the petitioner.

3. No further directions are necessary. This petition is, accordingly, disposed of .

Sd/-

CHIEF JUSTICE

Sd/-

S. A. BOBDE, J.